

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RON HOLTZ,

Plaintiff,

v.

MARTHA KARR, MARVIN SPENCER,
C KOLLIN, SHARLA JAMES
HUTCHISON, K MILLER, BRASWELL,
JUDY SNOW, DANNY OTA, M
JOURNEY, RICHARD ODEGARD,
PIERCE COUNTY DETENTION AND
CORRECTIONS CENTER, MICHAEL
KAWAMURA, RICHARD WHITEHEAD,
DEPARTMENT OF ASSIGNED COUNSEL,

Defendants.

No. C12-5111 RJB/KLS

ORDER GRANTING SECOND
EXTENSION OF TIME TO RESPOND TO
MOTION TO DISMISS

Before the Court is Plaintiff's second motion for an extension of time to respond to Defendants' motion to dismiss. ECF No. 46. Plaintiff was sentenced on September 21, 2012 and anticipated a transfer from the Pierce County Jail to the Washington Correction Center in Shelton, Washington on or about September 25, 2012. ECF No. 43-1. Defendants' motion to dismiss (ECF No. 41) was originally noted for October 12, 2012. ECF No. 41. Plaintiff's first motion (ECF No. 43) was granted and extended Plaintiff's response time until December 10, 2012. ECF No. 45.

It appears that due to Plaintiff's transfers, first to Washington Correction Center and then to Monroe Corrections Center (*see* ECF No. 50), Plaintiff did not receive the Court's previous Order (ECF No. 45) and has had limited access to his legal materials and a law library. Plaintiff requests an additional extension to respond to Defendants' motion to dismiss. Defendants have not filed a response to Plaintiffs' request.

ORDER - 1

1 Under these circumstances, the Court finds Plaintiff's request for an extension to be
2 reasonable. It is, accordingly, **ORDERED**:

3 (1) Plaintiff's motion for an extension (ECF No. 46) is **GRANTED**.

4 (2) Plaintiff's response to Defendants' motion to dismiss may be filed **on or before**
5 **January 14, 2013¹**. Defendants may file their reply **on or before January 18, 2013**. The
6 Clerk is directed to **re-note** Defendants' motion to dismiss (ECF No. 41) for **January 18, 2013**.

7 (3) The Clerk shall send a copy of this Order to Plaintiff and to counsel for
8 Defendants.

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10 **DATED** this 16th day of November, 2012.

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12 Karen L. Strombom
13 United States Magistrate Judge
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¹ The date requested by Plaintiff is a Sunday and the next day is a federal holiday. Therefore, the extension will be granted for January 14th, giving Plaintiff more than ample time to file his response.